

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

ALVA E. CAMPBELL, JR.,

Petitioner,

: Case No. 2:15-cv-1702

- vs -

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

CHARLOTTE JENKINS, Warden,
Chillicothe Correctional Institution,

:

Respondent.

SCHEDULING ORDER

This capital habeas corpus case is before the Court on dismissal by the Sixth Circuit of Case No. 16-3070, the case resulting from this Court's Decision and Order transferring the case upon determination that the Petition herein was a second or successive application. The Sixth Circuit having declined to exercise jurisdiction over the transferred matter, it is hereby ORDERED that this case be reopened on the docket of this Court.

Petitioner's stated reason for moving for dismissal in the Sixth Circuit was his desire to "appeal to the District Court from the Magistrate Judge's Decision and Order . . . as permitted by 28 U.S.C. § 636(b)(1)(A) and Fed. R. Civ. P. 72(a)." (Motion to Dismiss, page 2.) Now that jurisdiction has been returned to this Court, it is hereby ORDERED that any party wishing to appeal from the Magistrate Judge's Decision and Order do so not later than March 11, 2016.

February 24, 2016.

s/ *Michael R. Merz*
United States Magistrate Judge